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March 31, 2023

**Via ECF**

Hon. Anne Y. Shields  
United States District Court  
Eastern District of New York  
100 Federal Plaza  
Central Islip, New York 11722

Re: *Hayes v. County of Nassau, et al.*  
Docket No. 2:21-CV-3922 (GRB)(AYS)

Dear Judge Shields,

The Office of the Nassau County Attorney represents the County Defendants in the above matter. The undersigned writes this joint status letter after conferring and consenting with Brett Klein, Esq., counsel for the Plaintiff, regarding the status of this case.

Currently, both sides have completed paper discovery but have not yet commenced depositions; choosing instead to focus on pre-deposition settlement discussions. Plaintiff has issued an initial demand, and the County Defendants have responded with a settlement offer. While the parties have not yet reached a figure they agree upon, they are proceeding in good faith with negotiations and believe that, with the Court's assistance, a resolution can be reached. Accordingly, the parties hereby request that the Court schedule the parties for a settlement conference, and/or refer the parties to the Court's mediation program.

For logistical scheduling purposes, the parties hereby advise the Court that Plaintiff's counsel will not be available until after April 15, 2023. As for the County Defendants, our office is available to appear April 17-19, or April 24-27 (morning-only for April 26<sup>th</sup>). In the event dates further out are needed, the parties will confer and provide same.

As a final note, County Defendants wish to advise the Court that our office has made the determination that should settlement negotiations be unsuccessful, this case will be transferred to outside counsel, who will need approximately 30 days to be ready to proceed. Plaintiff's counsel is aware of this determination, and both parties agree that this is all the more reason why it would be in the best interests for all involved to focus on resolution at this time.

The parties thank the Court for its time and consideration.

Very truly yours,  
/s/ *Brian P. McLaughlin*  
Brian P. McLaughlin  
Deputy County Attorney

CC: Brett Klein, Esq., *counsel for the Plaintiff* (Via ECF)